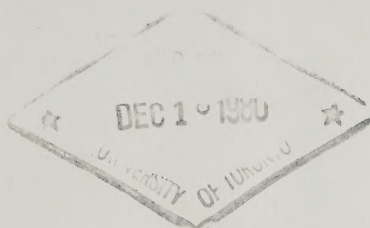


3 1761 11648523 6

CAI
T24
- C11

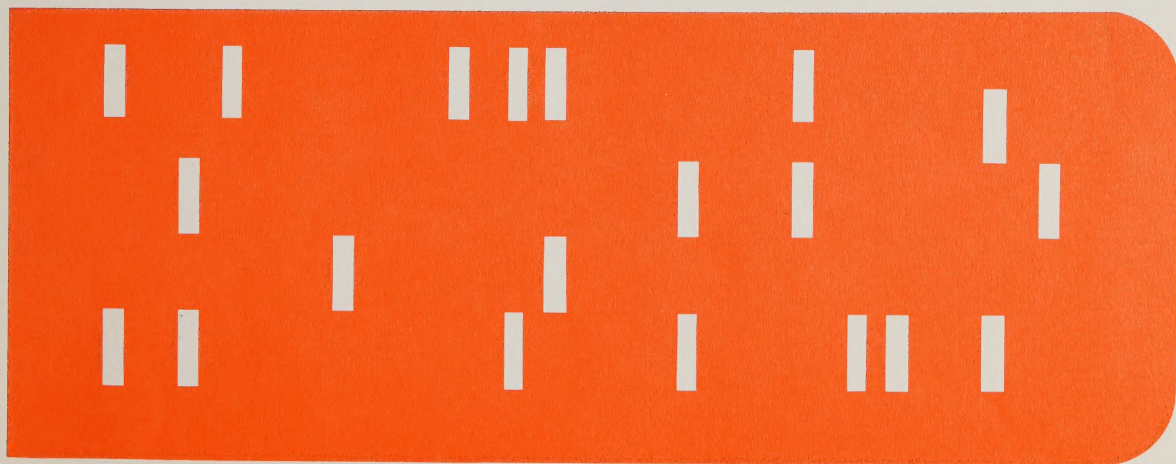
Government
Publications




DOING BUSINESS IN CANADA

DEPOSITORY LIBRARY MATERIAL

CANADIAN CUSTOMS REGULATIONS





Digitized by the Internet Archive
in 2023 with funding from
University of Toronto

<https://archive.org/details/31761116485236>

1. Canada 2. Dept. of Industry, Trade and Commerce

CA1
TIR
-C1

3

11

DOING BUSINESS IN CANADA

Canadian Customs Regulations



Government
of Canada

Gouvernement
du Canada

Industry, Trade
and Commerce

Industrie
et Commerce

FOREWORD

The information in this booklet deals with the Canadian Customs Tariff and the incidence of Canadian customs duties. Every effort has been made to reflect accurately the legislation in force at the time of preparing the material and it is hoped that the text will prove a useful guide.

It should be appreciated, however, that the law and its administration involve a considerable amount of detail. Since the text does no more than refer to basic principles, it is suggested that an enquirer consult with Revenue Canada, Customs and Excise, when seeking precise and detailed advice on a given problem at a specific time.

The Department of Industry, Trade and Commerce is prepared to assist manufacturers who require guidance on these matters.

Titles of publications available from the Department of Industry, Trade and Commerce in the series "Doing Business in Canada" are:

- No. 1 — The Business Environment
- No. 2 — Forms of Business Organization in Canada
- No. 3 — Canadian Customs Regulations
- No. 4 — Taxation — Income, Business, Property
- No. 5 — Taxation — Sales, Excise, Commodity
- No. 6 — Labour Legislation
- No. 7 — Construction and Equipment Standards
- No. 8 — Federal Incentives to Industry
- No. 9 — Patents, Trade Marks, Industrial Designs and Copyrights
- No. 10 — Financing Canadian Industries.

Further information is available from:

The Business Centre (34/2)
Department of Industry, Trade and Commerce
235 Queen Street
Ottawa, Ontario K1A 0H5
Tel: (613) 995-5771
Telex: 053-4123

Revised 1980

TABLE OF CONTENTS

Foreword

Introduction	4
Export and Import Permits	4
Marking of Imported Goods	5
Tariff Structure Classification and Rates	5
Tariff Changes — Department of Finance	6
Value for Duty — Revenue Canada	6
Verification of Value for Duty	7
Special Methods of Valuation	8
Temporary Entry of Dies, Moulds, Patterns, Jigs and Fixtures, etc.	8
Made in Canada	9
Anti-dumping Duty	9
Countervailing Duty	9
Surtax	10
The Machinery Program	10
Drawbacks	10
Processing of Canadian Goods Abroad — Remission of Duties	11
Working and Residing in Canada	11
Appendix "A"	13

INTRODUCTION

The Canadian Customs Tariff and the Canadian Customs Act are enactments of Parliament and administered by the Customs and Excise Division of Revenue Canada with headquarters in Ottawa. The actual day-to-day operations of the Customs and Excise Division are carried out through Regional Headquarters Offices (see Appendix "A") located throughout the country and in turn by ports and outports located in major centres and border points throughout Canada.

Goods entering Canada are usually cleared at the nearest customs port unless specifically provided otherwise. The person entering the goods inward is required to present to the Collector or the proper officer a customs invoice covering such goods, in triplicate, signed by the exporter, showing the place and date of purchase, the name of the firm or person from whom the goods were purchased, and a full description giving the quantity and value of each of the goods. Also required is a bill of entry of such goods, in triplicate, containing the name of the importer and, if imported by water, the name of the ship, the full description of the goods, the place from which the goods are imported and of

what country the goods are the growth, product or manufacture.

If a previous ruling has not been obtained from a Regional Headquarters Office of Revenue Canada, Customs and Excise, the Collector or other proper officer will determine the value and classification applicable. Such entries are forwarded to appropriate Regional Headquarters Offices where each entry is rechecked and if the reviewing officer is of the opinion the goods have been erroneously classified or appraised or allowed entry at an erroneous rate of duty, a fresh appraisal may be made and the entry may have to be amended with payment of additional duty on such goods, or refund of part or the whole of the duty paid as the case requires.

In view of this, if goods are to be imported into Canada on a continuing basis, foreign exporters and Canadian importers are advised to approach the Regional Headquarters Office of Revenue Canada, Customs and Excise, having jurisdiction over the Canadian port of entry through which the majority of their goods will be cleared, in order to obtain ruling as to classification, rate of duty, and valuation prior to commencing shipments.

EXPORT AND IMPORT PERMITS

The procedures for setting up a business are outlined in the booklet "Forms of Business Organization" in this series. There are no special requirements for an import-export business. The business may be in the form of a proprietorship, partnership, or limited company. No special federal licence or permit is required to conduct an import-export business. Permits are required, however, for the import or export of certain commodities, under the authority of the Export and Import Permits Act. The prospective importer or exporter must apply in advance to the Office of Special Import Policy, Department of Industry, Trade and Commerce, Ottawa, Ontario K1A 0H5 each time he proposes to import or export a controlled item.

Import permits are required for a number of commodities itemized in the Import Control List including certain dairy products, poultry products, sugar and coffee, various textile and clothing items, endangered species and their by-products.

Export permits are required for a wide range of goods, in particular those deemed to be of a

strategic nature. These are enumerated in the Export Control List. In addition, there are a number of countries specified in the Area Control List, and any exportation to these countries requires a permit.

The Export and Import Permits Act Handbook re-producing the Act, Control Lists, Regulations, etc., and its amendment service are available from the Publishing Centre, Department of Supply and Services, Ottawa, Ontario K1A 0S9, catalogue No. ID-12-3/1975. Further information is also available from the Office of Special Import Policy, Department of Industry, Trade and Commerce, Ottawa, Ontario K1A 0H5.

Other government departments issue regulations governing the importation and/or sale of various goods including certain drugs, food, seeds, plants, animals, motor vehicles and potentially hazardous products. Accordingly, prospective importers should consult regional Customs offices as per Appendix "A", or other appropriate federal officials before arranging purchases.

MARKING OF IMPORTED GOODS

There is no general requirement that goods imported into Canada must bear "country of origin" markings. However, authority exists under Section 17 of the Canadian Customs tariff to order certain goods marked and to state the manner in which they are to be marked, labelled, stamped or branded. These regulations and the listing of goods requiring "country of

origin" markings are published in Memorandum D42, copies of which are available from Collectors of Customs and Excise.

It is important to note that goods exported to Canada requiring such markings and not bearing these markings may be refused entry at Customs until properly marked.

TARIFF STRUCTURE CLASSIFICATION AND RATES

The schedules of the Canadian Customs Tariff comprise more than 2,000 classifications, or tariff items, and subitems with differing criteria as to the basis for the structure of each. While the majority of the classifications refer to specific commodities, many classifications and, in some instances, the classification of most general application, have been set up with reference to the component material of chief value. Others refer solely to end use, some have class or kind "made in Canada," as the basis for distinction, while still others are combinations of the foregoing.

The rates of duty applicable under each tariff item of the Customs Tariff are set out in five columns. The first column itemizes the rates under the "British Preferential Tariff" that apply to goods that are the growth, product or manufacture of most British Commonwealth countries, colonies, properties or territories under British trusteeship when conveyed without trans-shipment from a port of any British country enjoying these benefits, to a port in Canada.

An exception is made to the requirements of shipment from a port of any British country in the case of Botswana, Lesotho and Swaziland. Goods from these countries will enjoy the benefits of the British Preferential Tariff when shipped from a port of the Republic of South Africa direct to a port in Canada.

The rates of customs duty set forth in column two, "Most-Favoured-Nation Tariff," apply to goods that are the growth, product or manufacture of countries (i.e., United States, France, Italy, West Germany, Belgium, The Netherlands, Sweden, Norway, Denmark, etc.) to which the benefit of such "Most-Favoured-Nation Tariff" treatment has been accorded either through treaties or through the General Agreement on Tariffs and Trade (GATT).

The rates of customs duty, if any, set forth in column three, "General Tariff," apply to all goods not entitled to admission under the "Most-Favoured-Nation Tariff" or under the "British Preferential Tariff."

A fourth column enumerates the rates of duty applicable to the goods that are the growth, produce or manufacture of any country to which the benefit of the "General Preferential Tariff" has been extended. Designed to help foster industrial growth in developing countries, goods entitled to "General Preferential Tariff" must: (a) be wholly produced in a qualifying country, or (b) contain foreign material or components not exceeding 40 per cent of ex-factory price. Both (a) and (b) above must be supported by certificate form A.

A new fifth column enumerates the rates of duty applicable to the goods that are the growth, product or manufacture of the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man or the Republic of Ireland and are shipped directly to Canada. If transshipment takes place, it must be at a port in the United Kingdom of Great Britain and Northern Ireland, the Channel Islands, the Isle of Man, the Republic of Ireland or British Commonwealth countries, colonies, properties or territories under British trusteeship to a port in Canada.

In order to obtain a ruling as to the tariff classification and rate applicable to an article to be shipped to Canada, a Regional Headquarters Office of Revenue Canada, Customs and Excise, as listed in Appendix "A," should be contacted, and the name of the product and the name and address of the manufacturer should be provided. It is always helpful in classifying products if descriptive literature, complete specifications and/or photographs, together with a statement as to the process of manufacture, are included.

In some instances it may be necessary to provide samples.

Rates of duty are usually levied either on an "ad-valorem" or "specific" basis. The term "ad valorem" refers to duty charged at a percentage of the value of the article, i.e., 7 1/2 per cent "ad

valorem." "Specific" duties are duties charged by unit of weight or other measure of quantity and, in some instances, a compound duty is levied, for example, 25 per cent "ad valorem" plus five cents per pound.

TARIFF CHANGES — DEPARTMENT OF FINANCE

The Minister of Finance is responsible for recommending to Cabinet and Parliament any changes in the wording of tariff items or in the rates to be applied. Revenue Canada is responsible only for the administration of the Customs Tariff and has no power to apply rates other than those found in the existing Tariff or to collect duties at rates other than those authorized by statute.

Duties may be lowered by Order-in-Council under the authority of Section 273 of the Customs Act. This section provides that the Cabinet may reduce or abolish duties or authorize a drawback of duties on "articles used as materials in Canadian manufactures." Requests for such reductions in duty are investigated by the Tariff Division of the Department of Finance, which advises the Minister of Finance as to whether or not, in its view, the reductions should be made. Reductions in duty under Section 273 of the Customs Act can be made only for a definite period of time. When the Order-in-Council

authorizing any such reduction is about to expire, the situation will again be investigated by the officials of the Department of Finance, who will advise the Minister whether or not the reduction should be continued.

In addition to lowering the tariff on materials used in manufacture, the Cabinet may, by Order-in-Council, reduce any tariffs on any goods in return for a concession granted to Canada by another country. The authority for such reduction is Section 11 of the Customs Tariff. It is under this authority that a number of tariff reductions were made during the course of negotiations under the General Agreement on Tariffs and Trade (GATT). Increases and decreases of duty, other than those referred to above, must be approved by Parliament and are put forward by the Minister of Finance as part of his annual budget and become effective the following day. Subsequent legislation is made retroactive to that date.

VALUE FOR DUTY — REVENUE CANADA

Value for duty is determined in accordance with the provisions of the Customs Act, specifically Sections 36 to 44 inclusive. The most important of these sections and the circumstances under which they are invoked are described hereunder.

The basic principle is set forth in Section 36 (1) which reads as follows:

Section 36 (1) — "Subject to Section 39, the value for duty shall, *notwithstanding any invoice or affidavit to the contrary*, be the fair market value, at the time when and place from which the goods were shipped directly to Canada, of like goods when sold

- (a) *to purchasers located at that place with whom the vendor deals at arm's length and who are at the same or substantially the same level as the importer, and*
- (b) *in the same or substantially the same quantities for home consumption in the ordinary*

course of trade under competitive conditions."

A number of rules are set out in Sub-sections (2) and (3) of Section 36 which are to be used in applying Subsection (1) as indicated above. These rules relate to sales in the country of export and cover time, place, trade marks, purchasers, and differences in quantities and trade levels. Section 37, subject to Section 39, provides that, where a fair market value cannot be established by sales of like goods in the country of export, the value for duty shall be the cost of production of the imported goods plus an amount equal in percentage to the markup over cost of production included in the fair market value of similar goods sold by the vendor for home consumption in the country of export.

Section 38. Where the Governor in Council is satisfied, on a report from the Minister of

Revenue Canada, that the application of Subparagraph (i) of Paragraph (e) of Subsection (2) of Section 36 or Subsection (3) of Section 36 is inequitable in that it results in discrimination against the importation of goods of a class from any country, as compared with the importation of goods of that class from any other country, the Governor in Council may prescribe the manner in which the value for duty of goods of that class, as determined under Section 36 or 37, shall be reduced; but the value for duty of any imported goods upon being reduced as provided in this section shall not be less than an amount equal to the cost of production of the goods plus such amount for gross profit as is deemed reasonable by the Governor in Council.

Section 39 (a) provides for cases where value for duty cannot be determined under Section 36 or 37 because like or similar goods are not sold in the country of export, or are not sold in such country in the circumstances described in those sections.

Section 39 (b), (c) and (d) provide that where the goods imported are intended to be assembled, packaged or further manufactured in Canada or to enter into the course of manufacture in Canada; are used or obsolete goods; are not prime quality goods, or are remnants, close-outs, discontinued lines or surplus goods; constitute a job lot; are intended to be used directly in the process of manufacture or production of goods and like goods are not sold in the country of export; are leased but not sold in the country of export; and the Minister is of the opinion that the application of sections 36 and 37 is impracticable, the value for duty shall be determined in such manner as the Minister prescribes.

In cases where sufficient information has not been furnished or is not available, Section 40 enables the Minister to prescribe the manner of determining cost of production, gross profit, or fair market value, for purposes of Sections 36 and 37.

Section 41 states that if the value for duty of any goods as determined under the preceding sections is less the selling price to the purchaser in Canada, exclusive of all charges thereon after their shipment from the country of export, the value for duty shall be such selling price less the

amount, if any, by which the fair market value of the goods has decreased between the time of purchase and the time of exportation. This section outlines the circumstances under which internal taxes imposed within the country of export are deductible in establishing value for duty. Some other points covered by this section are the conditions under which discounts are deductible in determining value for duty, and who is considered to be the importer when goods are shipped to Canada on consignment.

Section 42 reads as follows:

- “(1) If the value for duty as determined under Sections 36 to 41 does not include
- (a) the amount of any subsidy or drawback of customs duty that has been allowed by the government of any other country, or
 - (b) the amount or money value of any so-called royalty, rent or charge for use of any machine or goods of any description, that the seller or proprietor does or would usually charge thereon when the same are sold or leased or rented for use in the country of export,
- such amount shall be added thereto.
- (2) There shall be added to the value for duty as determined under Section 36 to 41 the amount of consideration or money value of any special arrangement between the exporter and the importer, or between any persons interested therein, because of the exportation or intended exportation of such goods, or the right to territorial limits for the sale or use thereof.”

Section 43 provides that, under certain conditions, goods from any country passing in transit through another country shall be valued for duty as if they were imported direct from the first country.

Section 44 requires that, if the value in the country of origin is higher than the value in the country of direct shipment, the former (higher) value shall apply in calculating the value for duty.

VERIFICATION OF VALUE FOR DUTY

The value for duty of imported goods depends on market and manufacturing conditions in the

country of export and the exporter may be requested to provide information to prove the

value that he has certified on the Customs invoice. Such information may include certified copies of agreements and invoices covering sales to purchasers in the exporter's domestic market,

price lists, discount schedules, purchase or manufacturing costs and particulars relating to the transaction with the importer in Canada.

SPECIAL METHODS OF VALUATION

A number of special methods of valuation have been prescribed by the Minister pursuant to Section 39 of the Customs Act. Some of the methods of general application are described briefly below.

Goods intended for assembly, labelling or packaging in Canada, in the absence of a fair market value as established under Section 36 of the Customs Act, are valued at their cost of production advanced by a percentage equal to the percentage of gross profit realized on the sale of the like or similar finished goods under the conditions set out in Sections 36 and 37 of the Customs Act.

Goods in a semi-manufactured condition, imported for further manufacture in Canada, in the absence of a value for duty established under Section 36 or 37 of the Customs Act, are valued on the cost of production of the imported goods plus an advance. The amount of the advance is based on two factors — the first is the percentage of mark-up over cost of production included in the fair market value of the completely finished article sold for home consumption in the country of export; the second is the foreign content in the article to be produced in Canada from the imported goods. The percentage advance to be applied will decrease as the foreign content in the article produced in Canada is lowered.

Bare castings and stampings imported into Canada for further manufacture, in the absence of a fair market value established under Section 36 or 37 of the Customs Act, are valued on the basis of their cost of production plus a nominal

advance.

Specification parts not manufactured by the exporter, where designing and development costs are not known, are valued on the basis of the exporter's laid down cost plus an advance dependent upon the percentage of gross profit included in the fair market value of the finished product. Other parts readily available on the open market in the country of export may be valued on the basis of the exporter's laid down purchase cost advanced by a nominal percentage.

Machinery and equipment built for plant use, not being for sale in the open market in the country of export, for use in the exporting company's own plants and possibly that of its subsidiary, or for use by an unrelated company in Canada, are valued by advancing the exporters purchase or manufacturing cost.

Used goods are appraised on the basis of the current replacement price new in the country of export (in some instances on the original price new) with adjustments for obsolescence, depreciation and condition. The appraised value is compared with both the invoiced fair market value and the selling price and duty is assessed on the highest of the three amounts.

Where importation of the goods described above, or other goods for which fair market values are not readily ascertainable, is contemplated, a ruling as to their value for duty should be requested from the Tariff Programs (Valuation), Revenue Canada, Customs and Excise.

TEMPORARY ENTRY OF DIES, MOULDS, PATTERNS, JIGS AND FIXTURES, ETC.

The temporary entry of dies, moulds, patterns and related jigs and fixtures with duty levied on a prorated basis, depending on the length of time this equipment remains in Canada, is of significance to new and existing operations considering the introduction of higher domestic content into the product finished here. Such equipment may be entered temporarily with duty levied on

1/60 of the appraised value for each month or portion thereof that it remains in Canada. There is a minimum levy of \$25.00 for each importation and the duty is not refundable on proof of export, which must take place within 12 months from the date of importation.

This arrangement obviates the costly duplication of dies, moulds, patterns, etc., for short

production runs and enables manufacturers to reduce customs costs and attain a higher Canadian content in the finished product.

Interested manufacturers should contact

Collectors of Customs and Excise at ports of entry or write directly to the appropriate regional Customs office, as listed in Appendix "A", for further information.

MADE IN CANADA

For the purpose of the Customs Tariff, articles shall not be deemed to be of a class or kind produced in Canada unless established Canadian industry is manufacturing at least 10 per cent of the normal Canadian consumption.

In addition to the above, the article must be of substantial Canadian content. There is no fixed minimum content requirement established

by regulation before an article may be ruled of a "class or kind made in Canada." Each case is determined on its own merits.

There are a number of items in the Customs Tariff authorizing a lower rate of duty for goods of a class or kind *not made in Canada* than for goods of a class or kind *made in Canada*.

ANTI-DUMPING DUTY

Canada, as a signatory to the General Agreement on Tariffs and Trade (GATT), has accepted an agreement on the implementation of Article VI of the GATT, known as the Anti-dumping Code. This code recognizes that action may be taken to counteract dumping if it causes or threatens retardation of, or injury to an established industry in the importing country. Dumping is recognized as taking place when goods are sold at a lower price for export than for domestic consumption in the exporting country under comparable conditions of sale.

The Canadian provisions for counteracting injurious dumping are contained in the Anti-dumping Act which is administered by the Special Assessment Programs Division of Revenue Canada, Customs and Excise, and the Anti-dumping Tribunal. Revenue Canada deter-

mines dumping and levies and collects anti-dumping duties while the Anti-dumping Tribunal, which is a court of record completely separate from Revenue Canada, is responsible for rendering orders or findings on material injury or retardation.

An investigation respecting the dumping of goods may be initiated by the Deputy Minister of Revenue Canada, Customs and Excise, on his own initiative or on receipt of a complaint in writing, by or on behalf of producers in Canada, where he is of the opinion that there is evidence of both dumping and injury to the production in Canada of like goods. Where such an investigation is initiated notice is given to the parties concerned as well as being published in the "Canada Gazette."

COUNTERVAILING DUTY

The General Agreement on Tariff and Trade permits the imposition of countervailing duties when imports benefiting from foreign subsidies are causing or threatening material injury to domestic production. Canadian provisions for counteracting injurious importations of subsidized goods are contained in Section 7 of the Custom Tariff. These provisions are administered by the Special Assessment Programs Division of Revenue Canada, Customs and Excise and the Anti-dumping Tribunal. Revenue Canada determines the extent of the subsidiza-

tion and levies and collects countervailing duties, imposed by the Governor-in-Council, while the Anti-dumping Tribunal is responsible for rendering orders of findings on material injury or retardation.

An investigation respecting the subsidization of imports may be initiated by the Deputy Minister of Revenue Canada, Customs and Excise on receipt of a complaint in writing by or on behalf of producers in Canada. The procedures for such an investigation are generally the same as those for an anti-dumping investigation.

SURTAX

The General Agreement on Tariff and Trade allows signatories to take emergency safeguard action in import situations causing or threatening serious injury to domestic production. Section 8 of the Customs Tariff authorizes the Governor-in-Council, on recommendation of the Minister of Finance, to order imports causing such injury subject to surtax for a period of 180

days. Surtax orders are administered and enforced by the Special Assessment Programs Division of Revenue Canada, Customs and Excise. Special procedures for surtax are being employed for certain horticultural products which provide for quick responses to changes in market conditions.

THE MACHINERY PROGRAM

The Machinery Remission Program came into effect on January 1, 1968. The Program relates to tariff items 42700-1 (general machinery), 42701-1 (compression sets and electricity generating sets) and 41100-1 (sawmill and logging machinery), which cover the majority of machinery and equipment used by secondary industry, and provides for the remission of duty on machinery classifiable under those tariff items when the machinery being imported is not available from production in Canada, and it is in the public interest to do so. The primary objective of providing for remission of duty in this way is to encourage the development of efficient industry by allowing users of machinery to acquire capital equipment at the lowest possible cost, and at the same time enable machinery producers to obtain the maximum protection from the tariff for the products they manufacture.

Importers of machinery who wish to determine their eligibility for remission of duty should make a formal application to the Machinery and Equipment Advisory Board. Similarly, manufacturers whose machinery would be classified under this tariff item if it were imported into Canada should so advise the Board that they are manufacturing or are in a position to do so, to insure that they receive the protection to which they are entitled. Application forms together with pamphlets outlining the conditions under which applications will be considered are available from Collectors of Customs and Excise or from:

The Secretary
Machinery and Equipment
Advisory Board
Ottawa, Ontario K1A 0H5

DRAWBACKS

A drawback of customs duties and sales or excise taxes is a rebate of those moneys when imported goods are used in accordance with the regulations promulgated under the Customs Act, Customs Tariff, Excise Tax, or Financial Administration Acts.

The Customs Tariff includes several drawback items that permit the return of duty (not 100 per cent in all cases) to the importer when materials, machinery or equipment are applied to specific uses. These uses and rates of recovery are set forth in Schedule B of the Customs Tariff.

In addition, there are customs drawback features of particular interest to Canadian exporters:

- (a) When goods on which duties or taxes have been paid are used or directly con-

sumed in, wrought into or attached to, any articles manufactured or produced in Canada and exported, a drawback of 100 per cent of the duties and 99 per cent of the taxes may be allowed.

- (b) When imported goods are subsequently exported from Canada, without having been used in Canada, a drawback of 100 per cent of the duties and 99 per cent of the taxes that have been paid may be allowed.

There is one drawback provision that may be of interest to manufacturers using both imported and domestic materials of *the same class* in the production of goods subsequently exported. In order to avoid the maintenance of segregated stocks of domestic and imported materials for

duty drawback purposes, the manufacturer is allowed to claim recovery of duty paid on the imported portion on the basis of equivalent content in the exported goods. An example of this would be a stock of soda ash composed partly of Canadian soda ash and partly imported. The soda ash would be used in the refining of metal sold domestically and exported. The manufacturer could claim a 99 per cent duty drawback on the imported soda ash in an amount equivalent to the quality of soda ash used to refine the exported metal.

The imported goods must have been used in the same plant manufacturing the exported goods during the 12-month period immediately

preceding the manufacture of the exported goods. The application of "equivalents" to the textile industry, however, involves other considerations than those mentioned and regional Customs officials should therefore be consulted for further advice in this area.

The Inward Processing Remission Order was recently instituted to supplement the drawbacks program. Under this Order, qualified companies can obtain permission to import goods to undergo processing in Canada without the requirement for payment of duty providing that the goods are destined for export and the companies can comply with the bonding and accounting requirements of the Order.

PROCESSING OF CANADIAN GOODS ABROAD — REMISSION OF DUTIES

Authority may be obtained from Revenue Canada to export Canadian goods for processing and subsequent re-importation with remission of duty on the Canadian content. In this regard, the relevant section of Customs Memorandum D5-1 reads as follows:

"6. Remission is hereby granted of the duty and taxes payable pursuant to the "Customs Tariff" and the "Excise Tax Act", other than the duty and taxes referred to in paragraph (e), on Canadian goods returned to Canada after having been increased in value or altered in condition outside of Canada by any process of manufacture or other means where

- (a) the goods were documented in a manner acceptable to the Deputy Minister and exported under supervision satisfactory to the Deputy Minister;
- (b) no claim for drawback has been

paid in respect of the goods temporarily exported;

- (c) the Deputy Minister is satisfied that
 - (i) it would have been impracticable in Canada to increase the value or alter the condition of the goods in such a manner, and
 - (ii) facilities to increase in value or alter the condition of the goods in such a manner will be established in Canada within such period as may be specified by him;
- (d) the goods were returned to Canada within twelve months from the day on which they were exported; and
- (e) the duty and taxes, if any, payable under the "Customs Tariff" and the "Excise Tax Act" on the fair market value of the work done outside of Canada were paid."

WORKING AND RESIDING IN CANADA

Non-Residents must have the prior approval of the Department of Employment and Immigration in order to work in Canada or to reside for a period in excess of three months. Persons in this category are advised to contact the Canadian Immigration authorities in their particular area, the nearest Canadian Government Trade Commissioner's Office, or the appropriate Regional Headquarters of Revenue Canada, Customs and Excise as listed in Appendix 'A'.

Where a "non-resident" is accorded either a "temporary resident" or "landed immigrant" status by the Canadian Immigration Service, the individual's personal belongings and household effects can usually be imported into Canada free of duty and taxes, provided certain criteria are met. The conditions under which this exemption may be granted may vary depending on the circumstances, and commercial goods, tools of trade, etc., do not usually qualify. Therefore it is

advisable to discuss the details of your particular case with the Operational Services Unit of one of the regional Customs Offices listed in Appendix 'A', prior to departure for Canada.

NOTE: Information on customs duties and other import regulations of *foreign* countries can be

obtained from the International Bureaux (European Bureau, Bureau of Asian and Pacific Affairs, Bureau of African and Middle Eastern Affairs or Western Hemisphere Bureau), Department of Industry, Trade and Commerce, Ottawa, Ontario K1A 0H5.

APPENDIX "A"
REGIONAL HEADQUARTERS OFFICES
REVENUE CANADA
CUSTOMS AND EXCISE DIVISION

Atlantic Region

Responsible for the Provinces of Nova Scotia, Newfoundland, New Brunswick and Prince Edward Island.

Regional Collector of Customs and Excise
P.O. Box 3080, Halifax South Postal
Station
Halifax, Nova Scotia B3J 3G6
Phone: (902) 426-2914

Note: Office is located at 5670 Spring Garden Road, Halifax, Nova Scotia.

Quebec Region

Responsible for the Province of Quebec excluding Hull and the ports administered by the Montreal Region.

Regional Collector of Customs and Excise
P.O. Box 2267
Quebec, Quebec G1K 7P6
Phone: (418) 694-3708

Note: Office is located at 2 St. André Street, Quebec, Quebec.

Montreal Region

Responsible for the Montreal district including Lacolle, Huntingdon, St. Jean, Valleyfield, St. Jerome and those geographical areas coming within the control of these ports.

Regional Collector of Customs and Excise
P.O. Box 400, Central Station Postal
Service
Montreal, Quebec H3C 2T2
Phone: (514) 283-6201

Note: Office is located at 400 Place d'Youville, Montreal, Quebec.

Ottawa Region

Responsible for the Ottawa district, Hull, Sault Ste. Marie district, North Bay district, border ports along St. Lawrence and Ottawa Valley and those geographical areas coming within the control of these ports.

Regional Collector of Customs and Excise
1650 Carling Avenue
Ottawa, Ontario K2A 3Y1
Phone: (613) 593-7222

Toronto Region

Responsible for the Metropolitan Toronto district, Oshawa, Peterborough, Barrie and those geographical areas coming within the control of these ports.

Regional Collector of Customs and Excise
P.O. Box 10, Station "A"
Toronto, Ontario M5W 1A3
Phone: (416) 966-8260

Note: Office is located at 55 Bloor Street West, Toronto, Ontario.

Hamilton Region

Responsible for the Hamilton district, Niagara Falls district, Fort Erie district and those geographical areas coming within the control of these ports.

Regional Collector of Customs and Excise
P.O. Box 989
Hamilton, Ontario L8N 3V8
Phone: (416) 523-2811

Note: Office is located at 10 John Street South, Hamilton, Ontario.

London Region

Responsible for the London district, Kitchener district, Sarnia district and those geographical areas coming within the control of these ports.

Regional Collector of Customs and Excise
P.O. Box 5940, Terminal "A"
London, Ontario N6A 4T9
Phone: (519) 679-4128

Note: Office is located at 451 Talbot Street, London, Ontario.

Windsor Region

Responsible for the Windsor district including Chatham, Leamington and Walkerville.

Regional Collector of Customs and Excise
185 Ouellette Avenue
Windsor, Ontario N9A 4H8
Phone: (519) 254-9202

Winnipeg Region

Responsible for the Province of Manitoba including Fort Frances and Thunder Bay.

Regional Collector of Customs and Excise
Federal Building
269 Main Street
Winnipeg, Manitoba R3C 1B3
Phone: (204) 949-3758

Saskatchewan Region

Responsible for the Province of Saskatchewan.

Regional Collector of Customs and Excise
104 Towne Square
1919 Rose Street
Regina, Saskatchewan S4P 3P1
Phone: (306) 359-6215

Alberta Region

Responsible for the Province of Alberta.

Regional Collector of Customs and Excise
P.O. Box 2910
Calgary, Alberta T2P 2M7
Phone: (403) 231-4628

Note: Office is located at 220 4th Avenue
Southeast, Calgary, Alberta

Pacific Region

Responsible for the Province of British Columbia
and the Yukon Territory.

Regional Collector of Customs and Excise
1001 West Pender Street
Vancouver, British Columbia V6E 2M8
Phone: (604) 666-1456

Enquiries from the Northwest Territories
should be directed to the Field Operations
Branch, Field Support Directorate, Field Liaison
Division, Revenue Canada, Customs and Ex-
cise, Ottawa, Ontario K1A 0L5.

Canada

Catalogue Number: C2-38/1980-3

ISBN 0-662-10500-1

(aussi publié en français)